

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

California Alliance for Utility Safety and
Education,

Complainant,

vs.

San Diego Gas and Electric Company and the
City of San Diego,

Defendants.

Case 04-12-012
(Filed December 20, 2004)

INTERIM OPINION EXTENDING STATUTORY DEADLINE

Summary

Pub. Util. Code § 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending the deadline. The 12-month deadline for resolving this matter is December 20, 2005.

Although the Presiding Officer's Decision (POD) was issued prior to the deadline, the parties' time to appeal the POD will not expire until after December 20, 2005. This order extending the statutory deadline may therefore be necessary in order to allow for any appeals from the POD. In order to allow thorough consideration if any appeal is filed, we will extend the deadline to the end of April 2006.

Therefore, good cause appearing, we extend the deadline for resolving this case until April 30, 2006.

Waiver of Comment Period

Under Rule 77.7(f)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of draft decisions that extend the deadline for resolution of adjudicatory proceedings. Accordingly, pursuant to Rule 77.7(f)(4), the otherwise applicable period for public review and comment is being waived.

Assignment of Proceeding

Geoffrey F. Brown is the Assigned Commissioner and Anne E. Simon is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. Pursuant to Pub. Util. Code § 1701.2(d), the current deadline for resolving this case is December 20, 2005.
2. The parties' opportunity to appeal the POD will not expire until after December 20, 2005.
3. This order extending the statutory deadline may be necessary in order to allow for filing and consideration of appeals from the POD.

Conclusions of Law

1. The current deadline for resolution of this proceeding, imposed by Pub. Util. Code § 1701.2(d), should be extended until April 30, 2006.
2. In order to clarify the deadline for this proceeding, this order should be effective immediately.

O R D E R

IT IS ORDERED that the current deadline for resolution of this proceeding, imposed by Pub. Util. Code § 1701.2(d), is extended to April 30, 2006.

This order is effective today.

Dated _____, at San Francisco, California.